

REMARKS

The Examiner has rejected claims 1, 5, 9, 15, 16, 21 and 22 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,005,597 to Barrett et al. in view of U.S. Patent 6,756,997 to Ward, III et al.

The Barrett et al. patent discloses a method and apparatus for program selection, in which the program signals from a plurality of receivers are previewed in a main display window and a number of sub-windows, the user of the apparatus selecting the program to be watched from the displayed previews.

The Ward, III et al. patent discloses systems and methods for displaying and recording control interface with television programs, video, advertising information and program scheduling information, in which a viewer interface controls access to programs indicated in an EPG. Once a selection is made by the user, the tuner is tuned to the selected channel.

The subject invention relates to the receiving of a plurality of programs and the selection of one of the programs to be reproduced. In particular, as claimed in claim 1, the receiver includes "a user interface coupled to said controller for selectively displaying a listing of programs to which the plurality of program receiving devices are tuned, in which a central program in said listing corresponds to the program currently being displayed on said reproduction device", and "a user control for incrementally selecting a next desired program to be displayed from said listing of programs", "wherein each time said user control

increments by one program to a next desired program to be displayed from said listing of programs, said controller controls the switch to select the corresponding program receiving device, and causes the program receiving device tuned to the lowest program in said listing to tune to the next higher program of said plurality of programs to be included in said listing, and each time said user control decrements by one program to a next desired program to be displayed from said listing of programs, said controller controls the switch to select the corresponding program receiving device, and causes the program receiving device tuned to the highest program in said listing to tune to the next lower program of said plurality of programs to be included in said listing". These features of the invention are shown in Figs. 3-5 and described in the specification on page 3, line 3 to page 4, line 2.

The Examiner indicates that the claim 1 (and claim 16) limitation "a user interface coupled to said controller for selectively displaying a listing of programs to which the plurality of program receiving devices are tuned, in which a central program in said listing corresponds to the program currently being displayed on said reproduction device" is disclosed by Barrett et al., at col. 4, lines 11-22: "successively display list of programs, main window has highest rated program".

Applicant submits that the Examiner is mistaken. The noted section of Barrett et al. states:

"At block 230, the highest ranking programs, which represent the programs having the best match with the viewer profile, are presented to the viewer in order of

ranking. The programs may be presented to the viewer in a number of ways. In one embodiment, for example, upon turning on a television receiver, the current highest ranking program is presented to the viewer in the main viewing area of a television screen, while the next highest ranking program is shown in a smaller "picture-in-a-picture" preview window. By activating an appropriate command via a remote control device the viewer may cause successively lower ranking programs to be displayed in the main and preview windows."

It should be apparent that while Barrett et al. states "The programs may be presented to the viewer in a number of ways", Barrett et al. does not show a listing of programs. Rather, the only embodiment described in Barrett et al. is at col. 12, lines 41-67, describing Figs. 13 and 14, wherein a main window on the display shows, e.g., the highest scoring program, while a PIP window (Fig. 13) or multiple PIP windows (Fig. 14) show succeeding next highest scoring programs (alternatively, the main window shows a viewer selected program while the PIP window(s) show the next higher scoring program).

Applicant submits, therefore, that Barrett et al. neither shows nor suggests the user interface showing "a listing of programs to which the plurality of program receiving devices are tuned, in which a central program in said listing corresponds to the program currently being displayed on said reproduction device".

The Examiner further indicates that the claim limitation "each time said user control decrements by one program to a next desired program to be displayed from said listing of programs, said controller controls the switch to select the corresponding program receiving device, and causes the program receiving device tuned to

the highest program in said listing to tune to the next lower program of said plurality of programs to be included in said listing" is also taught by Barrett et al., "See Barrett Figure 1: program listing; col. 2, lines 59-62: on screen menu; col. 12, lines 56-62; col. 14, lines 9-13: user interface; col. 11, lines 48-51: controller coupled to receiving devices, tune to channel; col. 4, lines 11-22: successively navigate through program listing (highest ranking to next lower ranking)".

Applicant again submits that the Examiner is mistaken. In particular, Fig. 1 of Barrett et al. does not show a listing of programs to which the program receiving devices are tuned. Rather, as described in Barrett et al. at col. 3, lines 3-4 "FIG. 1 shows an example of an on-line internet chart form television program listing of the prior art". As such, this merely a listing of available programs. While Barrett et al. discloses "on screen menu" (col. 2, lines 59-62), "user interface" (col. 14, lines 9-13), "controller coupled to receiving devices, tune to channel" (col. 11, lines 48-51), and "successively navigate through program listing (highest ranking to next lower ranking)" (col. 4, lines 11-22), these are merely disjointed terms taken out of context in the claim limitation. Applicant submits that there is no disclosure in Barrett et al. of "each time said user control decrements by one program to a next desired program to be displayed from said listing of programs, said controller controls the switch to select the corresponding program receiving device, and causes the program receiving device tuned to the highest program in said listing to

tune to the next lower program of said plurality of programs to be included in said listing" (emphasis added). In particular, while Barrett et al. may disclose the first portion of the limitation, there is no disclosure of the controller "causes the program receiving device tuned to the highest program in said listing to tune to the next lower program of said plurality of programs to be included in said listing"". Since the program listing is of the programs currently being tuned to by the program receiving devices, in order to maintain that the "central program in said listing corresponds to the program currently being displayed on said reproduction device", it is necessary that the controller adjusts the program receiving devices accordingly.

The Examiner now states that Ward, III et al. discloses the claim limitation "wherein each time said user control increments by one program to a next desired program to be displayed from said listing of programs, said controller controls the switch to select the corresponding program receiving device, and causes the program receiving device tuned to the lowest program in said listing to tune to the next higher program of said plurality of programs to be included in said listing", and states "see Ward col. 10, lines 18-21, col. 10, lines 38-46: "previous" selection, increment".

Again, Applicant submits that the Examiner is mistaken. In particular, the noted sections of Ward, III et al. state:

"The viewer can choose to view the Grid Guide in an "all channel" format which displays in some order every channel and the listings of programs already in

progress or scheduled to begin at some time in the future."

and

"In the "Channel Guide" format, the viewer can select to view the Channel Guide for the "next" channel or for the "previous" channel. In one embodiment, the "Next" and "Previous" Channel Guide is an option on one of the EPG menus, action buttons or task bars. In another embodiment, the viewer's remote control device provides "Next" and "Previous" Channel Guide keys. In another embodiment, the viewer uses the up and down arrow keys to navigate to the next or previous Channel Guides."

Applicant submits that it should be clear that Ward, III et al. is describing maneuvering through a channel guide, that is, an electronic program guide (EPG). The moving through the channel guide does not have any effect on the tuning of a program receiving device until one of the programs is actually selected by the user. Applicant stresses that there is no disclosure or suggestion of how multiple program receiving devices should be controlled to achieve the claim limitation.

In view of the above, Applicant believes that the subject invention, as claimed, is not rendered obvious by the prior art, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1, 5, 9, 15, 16, 21 and 22, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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